

**IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF VIRGINIA–NORFOLK DIVISION**

TIMOTHY B. BOSTIC,

and

TONY C. LONDON,

Plaintiffs,

v.

CASE NO. 2:13cv00395

ROBERT F. MCDONNELL, in his official capacity as Governor of Virginia, and

KENNETH T. CUCCINELLI, in his official capacity as Attorney General of Virginia, and

GEORGE E. SCHAEFER, III, in his official capacity as the Clerk of Court for Norfolk Circuit Court,

Defendants.

RULE 41 NOTICE OF VOLUNTARY DISMISSAL OF DEFENDANTS MCDONNELL AND CUCCINELLI WITHOUT PREJUDICE

Plaintiffs, pursuant to Fed.R.Civ.P. 41(a)(1)(A)(i), submit this Notice of Dismissal by which Plaintiffs dismiss Defendants Robert F. McDonnell and Kenneth T. Cuccinelli without prejudice. On September 3, 2013, Plaintiffs filed an amended complaint which does not name these two defendants. Defendants McDonnell and Cuccinelli have not served an answer or a motion for summary judgment on Plaintiffs, therefore, this Notice of Dismissal is timely under Fed.R.Civ.P. 41(a)(1)(A)(i) and does not require a court order.

/s/
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CERTIFICATE OF SERVICE

I hereby certify that on September 5, 2013, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF system which will send a notice of electronic filing to counsel for all Defendants.

/s/

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